

Date of Filing:

Index #:

Plaintiff designates
Delaware County
as the place of trial.

The basis of venue is the
location of occurrence.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DELAWARE

-----X
TYLER COHEN and LIORA COHEN,

SUMMONS

Plaintiffs,

-against-

OORAH INC. and THE ZONE CAMP (BOYS),

Defendants.
-----X

To the above-named defendant(s):

YOU ARE HEREBY SUMMONED, to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorneys within - 20- days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

SOBO & SOBO, LLP



Carl M. Learned
Attorneys for Plaintiff
141 Dunning Road
Middletown, NY 10940
(845) 343-0466

Dated: October 25, 2021
Middletown, New York

Defendants' addresses: See Complaint

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DELAWARE

-----X
TYLER COHEN and LIORA COHEN,

COMPLAINT

Plaintiffs,

Index No.:

-against-

OORAH INC. and THE ZONE CAMP (BOYS)

Defendants.
-----X

Plaintiff(s), TYLER COHEN and LIORA COHEN, by their attorneys, SOBO & SOBO,
L.L.P., as and for the Verified Complaint, herein allege the following:

AS AND FOR A FIRST CAUSE OF ACTION ON BEHALF OF
PLAINTIFF TYLER COHEN

1. That at all times hereinafter mentioned, the plaintiff, Tyler Cohen was and still is a resident of the County of Palm Beach, State of Florida.
2. That at all times hereinafter mentioned, the plaintiff, Liora Cohen was and still is a resident of the County of Palm Beach, State of Florida.
3. That at all times hereinafter mentioned, upon information and belief, the defendant, OORAH INC., was and still is a foreign business corporation organized and existing under and by virtue of the Laws of the State of New Jersey.
4. That at all times hereinafter mentioned, upon information and belief, the defendant, OORAH INC., was and still is a foreign corporation duly authorized to do business within the State of New York.

5. That at all times hereinafter mentioned, upon information and belief, the defendant, OORAH INC., was and still is a business entity doing business within the State of New York.

6. That at all times hereinafter mentioned, upon information and belief, the defendant, THE ZONE CAMP (BOYS), was and still is a domestic corporation organized and existing under and by virtue of the Laws of the State of New York.

7. That at all times hereinafter mentioned, upon information and belief, the defendant, THE ZONE CAMP (BOYS), was and still is a foreign corporation duly authorized to do business within the State of New York.

8. That at all times hereinafter mentioned, upon information and belief, the defendant, THE ZONE CAMP (BOYS), was and still is a business entity doing business within the State of New York.

9. That at all times hereinafter mentioned, upon information and belief, the Defendant, OORAH INC., was the owner of a certain premises located at 123 Scotch Valley Road, Stamford, County of Delaware, State of New York.

10. That at all times hereinafter mentioned, upon information and belief, the defendant, OORAH INC., maintained the aforesaid premises.

11. That at all times hereinafter mentioned, upon information and belief, the defendant, OORAH INC., managed the aforesaid premises.

12. That at all times hereinafter mentioned, upon information and belief, the defendant, OORAH INC., controlled the aforesaid premises.

13. That at all times hereinafter mentioned, upon information and belief, the defendant, OORAH INC., operated the aforesaid premises.

14. That at all times hereinafter mentioned, upon information and belief, the defendant OORAH INC., was the lessee of the aforesaid premises.

15. That at all times hereinafter mentioned, upon information and belief, the defendant, OORAH INC., was the lessor of the aforesaid premises.

16. That at all times hereinafter mentioned, upon information and belief, the Defendant, THE ZONE CAMP (BOYS), was the owner of a certain premises located at 123 Scotch Valley Road, Stamford, County of Delaware, State of New York.

17. That at all times hereinafter mentioned, upon information and belief, the defendant, THE ZONE CAMP (BOYS), maintained the aforesaid premises.

18. That at all times hereinafter mentioned, upon information and belief, the defendant, THE ZONE CAMP (BOYS), managed the aforesaid premises.

19. That at all times hereinafter mentioned, upon information and belief, the defendant, THE ZONE CAMP (BOYS), controlled the aforesaid premises.

20. That at all times hereinafter mentioned, upon information and belief, the defendant, THE ZONE CAMP (BOYS), operated the aforesaid premises.

21. That at all times hereinafter mentioned, upon information and belief, the defendant, THE ZONE CAMP (BOYS), was the lessee of the aforesaid premises.

22. That at all times hereinafter mentioned, upon information and belief, the defendant, THE ZONE CAMP (BOYS), was the lessor of the aforesaid premises.

23. That at all times hereinafter mentioned, the soccer field, located on the aforesaid premises was the situs of the within accident.

24. That on or about the 7th day of August, 2019, while this plaintiff was lawfully upon the aforesaid premises, he was caused to be precipitated to the ground, thereby sustaining severe and serious personal injuries.

25. The negligent, wanton, reckless and careless acts of the defendants, their agents, servants and/or employees were a cause of the accident and resultant injuries.

26. That the defendants, their agents, servants and/or employees were negligent, wanton, reckless and careless in, among other things, allowing, causing and/or permitting dangerous, hazardous, slippery and/or unsafe conditions to exist on the aforesaid premises; in acting with reckless disregard for the safety of others; in negligent supervision; in negligent hiring, retaining, training, and supervising its employees; and the defendants, their agents, servants and/or employees were in other ways negligent, wanton, reckless and careless.

27. That the defendants, their agents, servants and/or employees had actual and/or constructive notice of the dangerous and/or defective conditions in that the conditions existed for a sufficient length of time prior to the happening of the incident and in the exercise of reasonable care, the defendants could have and should have had knowledge and notice thereof and further, the defendants, their agents, servants and/or employees created said condition.

28. The limited liability provisions of CPLR 1601 do not apply pursuant to the exceptions of CPLR 1602, including, but not limited to, 1602(2)(iv), 1602(7) and 1602(11).

29. That by reason of the foregoing, this plaintiff was caused to sustain severe and serious personal injuries to his mind and body, some of which, upon information and belief, are permanent with permanent effects of pain, disability, disfigurement and loss of body function. Further, this plaintiff was caused to expend and become obligated for diverse sums of money for the purpose of obtaining medical care and/or cure in an effort to alleviate the suffering and ills

sustained as a result of this accident; the plaintiff further was caused to lose substantial periods of time from his normal vocation and activities, and upon information and belief, may continue in that way into the future and suffer similar losses.

30. That by reason of the foregoing, this plaintiff has been damaged in a sum that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction of this matter.

**AS AND FOR A SECOND CAUSE OF ACTION ON BEHALF OF
PLAINTIFF LIORA COHEN**

31. Plaintiff, LIORA COHEN, repeats, reiterates and realleges each and every allegation contained in paragraphs numbered “1” through “30” of the First Cause of Action with the same force and effect as if more fully set forth herein at length.

32. That at all times stated and relevant herein, plaintiff, LIORA COHEN, was and still is the Mother and Natural Guardian of plaintiff, TYLER COHEN, and as such, is responsible for his care, medical aide, and attention for her child.

33. That as a direct and proximate result of the foregoing, plaintiff, LIORA COHEN, was deprived of the society, companionship and service of her child, TYLER COHEN, and will continue to be deprived.

34. That by reason of the foregoing, the plaintiff, LIORA COHEN, has been damaged in a sum that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction of this matter.

WHEREFORE, plaintiffs demand judgment against the defendants, and each of them, as follows:

A sum that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction in this matter, together with the costs and disbursements of the First Cause of Action and the Second Cause of Action.

DATED: October 25, 2021
Middletown, New York



CARL M. LEARNED, ESQ.
SOBO & SOBO, LLP
Attorneys for Plaintiff
141 Dunning Avenue
Middletown, NY 10940
(845) 343-7626

TO: OORAH INC.
1805 Swarthmore Avenue
Lakewood, New Jersey 08701
C/O Secretary of State

THE ZONE CAMP (BOYS)
123 Scotch Valley Road
Stamford, NY 12167

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DELAWARE

-----X
TYLER COHEN and LIORA COHEN,

Plaintiffs,

-against-

OORAH INC. and THE ZONE CAMP (BOYS)

Defendants.
-----X

STATE OF NEW YORK

COUNTY OF ORANGE ss:

I, the undersigned, am an attorney admitted to practice in the courts of New
York State, and say that:

I am the attorney of record for the plaintiffs. I have read the annexed VERIFIED COMPLAINT,
reviewed the Complaint with the plaintiffs herein, and know the contents thereof and I believe
them to be true, based upon the facts and information contained in deponent's file. The reason I
make this affirmation instead of the plaintiff is because the plaintiff is not within the County of
Orange where this affirmant's law office is located.

Dated: October 25, 2021



CARL M. LEARNED, ESQ.
SOBO & SOBO, LLP
Attorneys for Plaintiff
141 Dunning Avenue
Middletown, NY 10940
(845) 343-7626

AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE

SUPREME COURT
STATE OF NEW YORK, COUNTY OF DELAWARE

Purchased/Filed: October 25, 2021
Index # EF2021-840

Tyler Cohen., et ano

Plaintiff

against

Oorah Inc., et ano

Defendant

STATE OF NEW YORK
COUNTY OF ALBANY

SS.

James Perone, being duly sworn, deposes and says: deponent is over
the age of eighteen (18) years; that on November 2, 2021, at 11:00 AM, at the office of the
Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed

Summons, Complaint and Notice of Electronic Filing (Consensual Case)

on

Oorah Inc

the

Defendant in this action, by delivering to and leaving with

Sue Zouky

AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of
the Secretary of State of the State of New York, 99 Washington Avenue, Albany, NY, 2 true copies thereof and that
at the time of making such service, deponent paid said Secretary of State a fee 40 dollars; That said service was
made pursuant to Section 306 Not for Profit Corporation Law. Deponent further says that deponent knew the
person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly
authorized to accept such service on behalf of said defendant

Description of the person served: Approx Age 55-60 Approx. Wt: 125lbs Approx. Ht: 5'1

Color of skin: White Hair color: Red/Blonde Sex: Female Other: _____

Sworn to before me on this

2nd day of November 2021

SCOTT SCHUSTER
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01SC630838
QUALIFIED IN ALBANY COUNTY
COMMISSION EXPIRES JULY 28, 2022

James Perone

Attny's File No.

Invoice-Work Order # S1867532

SERVICO. INC.. P.O. BOX 871. ALBANY. NY 12201

STATE OF NEW YORK
SUPREME COURT
COUNTY OF DELAWARE

Index No: EF2021-840
Date Filed: 10/25/2021

AFFIDAVIT OF SERVICE

Plaintiff(s):	TYLER COHEN and LIORA COHEN
Defendant(s):	OORAH INC. and THE ZONE CAMP (BOYS)

STATE OF NEW YORK, COUNTY OF OTSEGO. ss.:

JAMES R. WHEELER, JR, being duly sworn, deposes and says that I am over the age of eighteen years and not a party to this action. I reside in the state of New York.

On 10/29/2021 at 4:31 PM at 123 SCOTCH VALLEY ROAD, STAMFORD, NY, 12167

Deponent served the within NOTICE OF ELECTRONIC FILING, SUMMONS AND COMPLAINT

On: **THE ZONE CAMP (BOYS)**, in the manner indicated below:


CORPORATION/ENTITY: By delivering a true cope of each to MARTINO CORTO, MANAGER / DESIGNATED AGENT, who specifically stated he/she was authorized to accept service on behalf of the corporation/entity.


DESCRIPTION of MARTINO CORTO:

Sex: Male Skin: White Hair: Wearing Hat Age: over 65 Height: sitting Weight: 200 lbs
Other Features:

Sworn to before me on October 30, 2021

Date Signed: October 30, 2021


TINA WHEELER
Notary Public, State of New York
No.: 01WH6125340
Qualified in Otsego County
Commission Expires 04/18/2025

X 
JAMES R. WHEELER, JR

HTS Job No.: 44185